

The opinion in support of the decision being entered today is not binding precedent of the Board.

Paper 13

Filed by: Trial Section Merits Panel  
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Filed  
4 April 2003

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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DAVID A. **BUMCROT**,

Junior Party  
(Patent No. 6,309,879),

v.

FREDERIC **DE SAUVAGE**  
and DAVID A. CARPENTER,

Senior Party  
(Application No. 09/060,939).

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Patent Interference 105,081 (NAGUMO)

Before SCHAFER, LANE, and NAGUMO, Administrative Patent Judges.  
NAGUMO, Administrative Patent Judge.

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**JUDGMENT**

(Pursuant to 37 CFR § 1.662(a))

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Introduction

1. On April 2, 2003, junior party Bumcroft filed Paper 12, in which it conceded priority as to Count 1, the sole count in this interference, and acknowledged that the communication would be treated as a request for adverse judgment.

Order

On consideration of the forgoing, it is:

ORDERED that judgment on priority as to Count 1 is awarded against junior party Bumcrot;

FURTHER ORDERED that Bumcrot is not entitled to a patent containing claims 1-13 of Bumcrot's 6,309,879 patent, which correspond to Count 1;

FURTHER ORDERED that copies of this decision be given appropriate paper numbers and be entered in the administrative record of Bumcrot's 6,309,879 patent and De Sauvage's 09/060,939 application.

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RICHARD E. SCHAFER )  
Administrative Patent Judge )  
\_\_\_\_\_)  
SALLY GARDNER LANE )  
Administrative Patent Judge )  
\_\_\_\_\_)  
MARK NAGUMO )  
Administrative Patent Judge )  
\_\_\_\_\_)

BOARD OF PATENT  
APPEALS AND  
INTERFERENCES  
  
INTERFERENCE  
TRIAL SECTION

Interference 105,081  
Bumcrot v. De Sauvage

Paper No. 13

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